

## TOWN BOARD MEETING/WORKSHOP APRIL 5, 2016

A meeting was held at the Kent Town Hall, 25 Sybil's Crossing, Town of Kent, New York, 10512.

### **Resolution #145 - Open Meeting- Adjourn to Executive Session**

On a motion by Supervisor Fleming

Seconded by Councilwoman McGlasson

Resolved: The Town Board Meeting of April 5, 2016 opened and adjourned to executive session at 6:04 p.m. to discuss pending litigation.

Motion carried unanimously

### **Resolution #146 - Adjourn Executive Session**

On a motion by Supervisor Fleming

Seconded by Councilwoman McGlasson

Resolved: Executive session adjourned at 7:09 p.m.

Motion carried unanimously

**Pledge of Allegiance**- At 7:15 p.m. Supervisor Fleming called the Workshop Meeting to order with the Salute to the Flag.

Workshop – The board discussed all the items on the workshop agenda.

### **Roll Call**

Supervisor Maureen Fleming – present

Councilman Paul Denbaum – present

Councilwoman Jaime McGlasson – present

Councilman Bill Huestis – present

Councilman Scott Chin – present

### **Resolution #147 - Approve Budget Adjustments Fiscal Year 2015**

On a motion by Councilman Denbaum

Seconded by Councilwoman McGlasson

**WHEREAS**, the former Director of Finance has recommended certain budgetary amendments to the 2015 Budget in order to adjust appropriations in the General Fund, the Highway Department budget and the Lake Carmel Park District budget, as set forth in the summary annexed hereto and incorporated herein by reference; and

**WHEREAS**, the former Director of Finance advises that the proposed transfers will have a zero net effect on the 2015 budget and the Town Board wishes to accept the recommendation of the former Director of Finance;

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Kent hereby accepts the recommendations of the former Director of Finance and authorizes the budget transfers as set forth on the annexed summary.

Motion carried unanimously

### **Resolution #148 - Change Signatories**

On a motion by Councilman Denbaum

Seconded by Councilman Chin

**WHEREAS**, the Town Board of the Town of Kent has been advised by its auditors that there are old accounts with small balances at Putnam County National Bank for which the signatories need to be updated; and

**WHEREAS**, the accounts are identified as the Kent Police Cadet Corps Business Checking Account with a current balance of \$1,929.35 and the Bail Bond Escrow Account with a current balance of \$3,406.14; and

**WHEREAS**, pursuant to Town Law 64 (1), the Town Board is authorized to manage and control Town finances; and the Town Board wishes to designate Supervisor Maureen Fleming and Deputy Supervisor William Huestis as signatories to the Police Cadet Corps account and the Bail Bond Escrow account;

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Kent hereby designates Supervisor Maureen Fleming and Deputy Supervisor William Huestis as signatories to the Bail Bond Escrow account and the Kent Police Cadet Corps Account, both of which are held at the Putnam County Savings Bank.

Motion carried unanimously

### **Resolution #149 - Creating Sick Leave Banks**

On a motion by Councilman Denbaum

Seconded by Councilwoman McGlasson

**WHEREAS**, the Town of Kent has established a policy authorizing the creation of a Sick Leave Bank for non-union employees who are struck with a serious illness or the illness of an immediate family member; and

**WHEREAS**, the Town Supervisor or an employee may request the creation of a sick leave bank for qualifying employees; and

**WHEREAS**, Supervisor Fleming has requested the creation of sick leave banks for two (2) employees, identified as Employee No. 2043 and Employee No. 2422; and

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WHEREAS, the Supervisor recommends the creation of sick leave banks for the employees identified above to the Town Board, so that additional sick leave time will be available to them in the event said employees deplete all available sick, compensatory, personal and vacation time; and

WHEREAS, Employee Number 2061 has submitted an intention, in writing, to donate five days of sick time to a sick bank created for Employee No. 2043 and five days of sick time to a sick bank created for Employee No. 2422; and

WHEREAS, Employee Number 3451 has submitted an intention, in writing, to donate ten days of sick time to a sick bank created for Employee No. 2043 and ten days of sick time to a sick bank created for Employee No. 2422; and

WHEREAS, Employee Number 2396 has submitted an intention, in writing, to donate ten days of sick time to a sick bank created for Employee No. 2043 and

WHEREAS, the Town Board wishes to acknowledge the generous donations of sick time by Employee No. 2061, 3451 and 2396 and to express their sincere wishes for a speedy recovery and good health to Employee No. 2043 and Employee No. 2422;

NOW THEREFORE, BE IT RESOLVED, that the Town Board hereby creates a sick bank for Employee Number 2043 and a sick bank for Employee No. 2422, subject to the following:

1. Sick days which are unused by the Employee for whom the Sick Leave Bank is set up may or may not be returned to the donating employee at the discretion of the Town Board;
2. No employee may use the buy-back option for sick day donations to any Sick Leave Bank;
3. Employees do not continue to accrue time while using donated time;
4. Any Employee who has changed his or her employment status from full time to part time after illness may not use donated time to retain full time status.

Roll Call:

Councilman Denbaum – wanted the record to reflect basically you can have a buy out of your sick time, that your sick time works as a voucher which you can get money for, even though it is employees money they have generously donated these funds, almost like writing a check, they do not want to be named, but immediately after creating a sick bank, these employees came forward and donated their sick time , he thinks it is a really nice thing and voted yes.

Councilwoman McGlasson – aye

Councilman Chin – aye

Councilman Huestis – aye

Supervisor Fleming – Echoing Councilman Denbaums' comments said we have some pretty wonderful employees that work for the Town of Kent, this certainly shows what good people we have here and voted aye

Motion carried unanimously

### **Resolution #150 - Creating Position of Special Patrol Officer**

On a motion Councilwoman McGlasson

Seconded by Supervisor Fleming

WHEREAS, the Town Board recognizes the necessity to ensure the safe and orderly operation of the Town of Kent Justice Court; and

WHEREAS, the Town Board desires to create the position of Special Patrol Officer to provide order and security in the Town of Kent Justice Court, which Special Patrol Officers, when performing their duties, shall have all the powers of a peace officer as set forth in 2.20 of the Criminal Procedure Law; and

WHEREAS, such Special Patrol Officers shall be retired members of a police or sheriff's department or of a division of the state police and must possess and maintain valid pistol permits throughout their employment in the position; and

WHEREAS, Special Patrol Officers shall be under the general supervision of the Chief of the Kent Police Department.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Kent hereby creates the position of Special Patrol Officer; and

BE IT FURTHER RESOLVED, that the essential duties and responsibilities of such position shall include:

1. Maintaining order and decorum in the courtrooms waiting rooms and other court premises.
2. Calling court into session, recess or adjournment, escorting jurors to and from the court, and seating witnesses and jurors in designated court areas.
3. Subduing unruly individuals and preventing any behavior which interferes with the judicial process.
4. Screening visitors to the courts and answering inquiries to provide information to the public concerning location, times, and types of scheduled legal proceedings.
5. Delivering and retrieving court documents and exhibits.
6. Providing other such assistance to the court as may be required, providing first aid and assistance during emergencies and preparing incident reports; and

BE IT FURTHER RESOLVED, Special Patrol officers shall be under the general supervision of the Chief of the Kent Police Department and that applicants for the position must be retired members of a police or sheriff's department or of a division of the state police and must possess and maintain valid pistol permits throughout their employment in the position; and

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BE IT FURTHER RESOLVED, that the Town Board of the Town of Kent hereby authorizes its Town Clerk, Yolanda D. Cappelli, to advertise for applications to fill the position of Special Patrol Officer; and

BE IT FURTHER RESOLVED, the Town Board of the Town of Kent hereby authorizes and directs the Supervisor to execute any and all documents necessary to give effect to this Resolution.

Roll Call

Councilman Denbaum - said he was skeptical, he knows the current court attendants, they do a great job, we are a small town, it's run nice why the need for all these rules and regulations. After listening to the Police Chief who he respects his opinion, especially for these types of matters, it does occur to him though they report to the town board that is not an actual reporting, he does not get any updates, he thinks there is a place and it is a good idea to report to the Chief and to go through the Chief of Police. He doesn't like all the training and regulations, but he is not present on the day to day basis that the Chief and other employees are and with that he voted aye.

Councilwoman McGlasson – aye                      Councilman Huestis – aye

Councilman Chin – aye                              Supervisor Fleming – aye

Motion carried unanimously

**Resolution #151 - Insurance Renewal**

On a motion by Councilwoman McGlasson

Seconded by Councilman Huestis

WHEREAS, certain insurance policies for the Town of Kent held through NYMIR are in need of renewal; and

WHEREAS, the Town Board of the Town of Kent is in receipt of a 2016 Insurance Renewal Proposal from the Spain Agency (the "Proposal"); and

WHEREAS, the Proposal details all coverages and limits for NYMIR policies renewing on April 8, 2016 including liability, property, crime, equipment, auto, public officials, law enforcement and umbrella coverages, a copy of which Proposal is annexed hereto and incorporated by reference herein; and

WHEREAS, the premium to renew the above insurance coverages for 2016 is \$300,384.66 and the Town Board wishes to renew such insurance coverages; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent approves and accepts the Proposal from Spain Agency to renew its insurance policies for liability, property, crime, equipment, auto, public officials, law enforcement and umbrella coverage in an amount not to exceed \$300,384.66; and

BE IT FURTHER RESOLVED, that the Town Supervisor is hereby authorized and directed to execute any and all agreements and other documents necessary to give effect to this Resolution, consistent with the terms hereof, all in form satisfactory to the Supervisor and the Town Attorney.

Motion carried unanimously

**Resolution #152 -Approving Putnam County Real Property Tax Service Contract for Calendar Year 2016**

On a motion by Councilwoman McGlasson

Seconded by Supervisor Fleming

WHEREAS, the Town of Kent has received from the Director of Real Property Tax Services of the County of Putnam an agreement entitled "Putnam County Real Property Tax Service Contract" in the form annexed hereto (the "Contract") whereby the County proposes to provide real property tax-related services to the Town for the 2016 calendar year as described in the Contract, a full and complete copy of which is annexed hereto and hereby made a part hereof; and

WHEREAS, the Town Board of the Town of Kent has determined that the Contract is in the best interests of the Town and desires to enter into the Contract;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby approves the Contract with the County of Putnam in the form annexed hereto; and

BE IT FURTHER RESOLVED, that the Town Supervisor is hereby authorized and directed to execute the Contract in the form annexed hereto.

Motion carried unanimously

**Resolution #153 - Accepting Quote for Tree Removal Services – Lake Carmel Park District**

On a motion by Supervisor Fleming

Seconded by Councilwoman McGlasson

WHEREAS, the Town of Kent has determined there is a need to remove a number of black oak trees and branches in the Lake Carmel Park District; and

WHEREAS, in accordance with the Town's Procurement Policy, the Town made requests for quotes from tree removal services, and received 3 written quotes in response to such request, copies of which are annexed hereto and incorporated herein by reference; and

WHEREAS, Six Diamonds Tree Service & Landscaping, Inc. of Carmel, has submitted the lowest quote dated March 15, 2016 in the amount of \$2,500; and

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**WHEREAS**, the Town Board of the Town of Kent wishes to accept the quote submitted by Six Diamonds Tree Service and Landscaping, Inc.;

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Kent hereby approves the removal of the trees and branches from the Lake Carmel Park District by Six Diamonds Tree Service & Landscaping Inc. for the price set forth on the quote annexed hereto in the amount of \$2,500; and

**BE IT FURTHER RESOLVED**, that the Town Supervisor is hereby authorized and directed to execute any and all agreements and other documents necessary to give effect to this Resolution, consistent with the terms hereof, all in form satisfactory to the Supervisor and the Town Attorney.

Motion carried unanimously

### **Resolution #154 - Lake Carmel Park District – Hire Head Lifeguard**

On a motion by Supervisor Fleming

Seconded by Councilman Denbaum

**WHEREAS**, the Town of Kent is seeking to fill the summer position of head lifeguard in the Lake Carmel Park District; and

**WHEREAS** Lucas Ruggiero, has submitted an application which reflects the proper qualifications to fill the head lifeguard position.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Kent hereby authorizes the hiring of Lucas Ruggiero as head lifeguard of the Lake Carmel Park District at a rate of \$15.00 per hour; and

**BE IT FURTHER RESOLVED**, that the Town Board of the Town of Kent hereby authorizes the Supervisor to execute any and all documents necessary to give effect to this resolution.

Motion carried unanimously

### **Resolution #155 - Appoint Town Historian**

On a motion by Supervisor Fleming

Seconded by Councilman Huestis

**WHEREAS**, by resolution dated December 15, 2015, the Town of Kent accepted the resignation of Milissa Boyer Kafes as Town Historian effective December 31, 2015; and

**WHEREAS**, the Town has duly advertised to fill the open position of Town Historian; and

**WHEREAS**, Jackie Rohrig has submitted an application which reflects the proper qualifications to fill the position of Town Historian.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Kent hereby authorizes the appointment of Jackie Rohrig as Town Historian of the Town of Kent.

Motion carried unanimously

### **Resolution #156 - Hire Special Prosecutor**

On a motion by Councilman Chin

Seconded by Councilwoman McGlasson

**WHEREAS**, the Town of Kent is currently prosecuting Case No. 16020196 (the "Case"), from which case the Town Prosecutor, Timothy Curtiss, Esq. has recused himself; and

**WHEREAS** there is a need to appoint another attorney to continue the prosecution of the Case; and

**WHEREAS**, the Town Board of the Town of Kent wishes to hire Mary Jane MacCrae, Esq. as Special Prosecutor to prosecute the Case on behalf of the Town of Kent; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Kent hereby authorizes the hiring of Mary Jane MacCrae, Esq. as Special Prosecutor to prosecute the Case at a rate of pay of \$175 per hour; and

**BE IT FURTHER RESOLVED**, that the Town Board of the Town of Kent hereby authorizes the Supervisor to execute any and all documents necessary to give effect to this resolution.

Motion carried unanimously

### **Resolution #157 - Appoint Seasonal Park Maintenance Workers**

On a motion by Councilman Chin

Seconded by Councilman Huestis

**WHEREAS**, the Town of Kent is seeking to fill six seasonal positions for Park Maintenance Workers; and

**WHEREAS**, the Director of Recreation has recommended hiring Brian DeNapoli, Edison Ramon, Kevin Daly, Anthony Ardizone and Christopher Belmonte to fill five of the six open positions; and

**WHEREAS**, the Town Board believes it to be in the best interests of the Town to accept the Director's recommendation; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Kent hereby authorizes the hiring of Brian DeNapoli, Edison Ramon, Kevin Daly, Anthony Ardizone and Christopher Belmonte as seasonal Park Maintenance Workers at a rate of \$9.00 per hour.

Motion carried unanimously

### **Resolution #158 - Appoint Start Smart Assistant Coordinators**

On a motion by Councilman Chin

Seconded by Councilman Huestis

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WHEREAS, the Town of Kent is seeking to fill four seasonal positions as Assistants in the Start Smart Baseball program; and

WHEREAS, the Director of Recreation has recommended hiring Brian Sposato, Brennan McIntyre, Chase Wong and Mark Donelan to fill the positions; and

WHEREAS, the Town Board believes it to be in the best interests of the Town to accept the Superintendent’s recommendations;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby authorizes the hiring of Brian Sposato, Brennan McIntyre, Chase Wong and Mark Donelan as Smart Start Assistants at a rate of \$140 for the season; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Kent hereby authorizes the Supervisor to execute any and all documents necessary to give effect to this resolution.

Motion carried unanimously

**Resolution #159 – Add Item to Agenda**

On a motion by Councilman Denbaum

Seconded by Councilwoman McGlasson

Resolved: Add advertise for Sewer District meeting to the agenda.

Motion carried unanimously

**Resolution #160 – Permission to Advertise Sewer District Meeting**

On a motion by Councilman Denbaum

Seconded by Councilman Huestis

Resolved: The Town Clerk may advertise for a Sewer District Committee Meeting to be held on April 12, 2016, 7:00 p.m. at the Kent Town Hall.

Motion carried unanimously

**Resolution #161 - Approve Vouchers & Claims**

On a motion by Councilman Huestis

Seconded by Supervisor Fleming

Resolved: All vouchers #200137047 - #200137224 and claims submitted by:

1.	City Carting	\$4,900.87	Lake Carmel Garbage
		\$5,528.45	
		\$4,971.84	
2.	H.O. Penn	\$6,840.03	Truck Parts
		\$116,950.00	Backhoe
3.	Hogan & Rossi	\$5,416.63	Legal Services
4.	NYS Dept of Civil Service	\$186,454.28	Health Insurance
5.	Riverview Industries	\$4,402.04	Rack Body
6.	Royal Carting	\$3,235.12	Recycling Garbage
7.	State Comptroller	\$41,010.00	Justice Court

In the amount of \$449,324.69 may be paid.

Motion carried unanimously

**Resolution #162 - Adjournment**

On a motion by Councilman Huestis

Seconded by Supervisor Fleming

Resolved: The Town Board meeting of April 5, 2016 adjourned at 8:10 p.m.

Motion carried unanimously

**Public Comment – There was none.**

Respectfully submitted:

Yolanda D. Cappelli  
Town Clerk